



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 2, 2020

By ECF

The Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 14C
New York, New York 10007

Re: *United States v. Joshua Adam Schulte, S3 17 Cr. 548 (PAC)*

Dear Judge Crotty:

The Government writes in connection with the Court's November 25, 2020 order directing the Metropolitan Correctional Center (the "MCC") to arrange for one video-teleconference (a "VTC") a month between the defendant and his family on the first Friday of each month. While the Government does not take a position on the defense request for a social VTC, the Government has conferred with counsel for the MCC, who has asked the Government to relay MCC's objection to the defense's request. In particular, MCC believes that

allowing an inmate to have social video calls will put pressure on the MCC to allow other inmates to have social video calls the Bureau of Prisons ("BOP") cannot accommodate. It will also be much more difficult for us to arrange for the requisite FBI and BOP monitoring required by the SAMs at this stage in the pandemic. Finally, BOP has a strong interest in implementing uniform privileges for its inmates. Granting the defendant's request would only encourage other inmates to try to prevail on their attorneys to clog the courts with requests for relief. The Government is always ready and willing to work with defense counsel to resolve reasonable requests to BOP. This request, however, seeks special treatment where none is warranted. The judiciary should not accept the defendant's invitation to micro-manage the decisions rendered by prison officials in the executive branch.

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The Government has also consulted with the FBI, who will have agents available to monitor any VTC that the Court orders.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

by: _____ /s/
Matthew Laroche / Sidhardha Kamaraju /
David W. Denton, Jr.
Assistant United States Attorneys
(212) 637-2420 / 6523 / 2744

cc: Defense Counsel (by ECF)